

7-01-04

IFW \$RCE 3731

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request For Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/080,787
Filing Date	February 22, 2002
First Named Inventor	Rabiner et al.
Art Unit	3731
Examiner Name	Pantuck, Bradford C.
Attorney Docket Number	20563/2052

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply previously filed on May 5, 2004

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-0085, Ref. No. 20563/2052

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David J. Dykeman	Registration No. (Attorney/Agent)	46,638
Signature	<i>David J. Dykeman</i>	Date	June 30, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	David J. Dykeman	Date	June 30, 2004
Signature	<i>David J. Dykeman</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Atty. Docket No.: 20563/2052

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

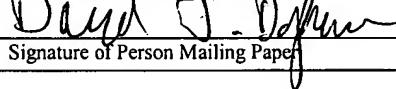
Application of:	Rabiner et al.	Examiner:	Pantuck, Bradford C.
Serial No.:	10/080,787		
Filed:	February 22, 2002	Group Art Unit:	3731
Entitled:	Apparatus and Method for Using a Vascular Introducer with an Ultrasonic Probe		
		Conf. No.:	1118

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL932931841US** on this date, **June 30, 2004**, postage prepaid, in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper



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Alexandria, VA 22313-1450

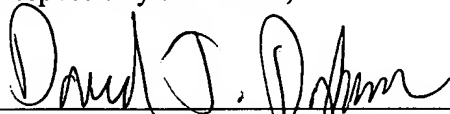
**RESPONSE TO ADVISORY ACTION AND REQUEST FOR CONTINUED EXAMINATION**

Sir:

In response to the Advisory Action mailed on June 23, 2004, Applicants are filing herewith a Request for Continued Examination to have the Amendment filed on May 5, 2004 entered and considered.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/2052. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,



Date: June 30, 2004

Name: David J. Dykeman  
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111 Huntington Avenue  
Boston, MA 02199-7613  
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Atty. Docket No.: 20563/2052

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.

Examiner: Pantuck,  
Bradford C.

Serial No.: 10/080,787

Filed: February 22, 2002

Group Art Unit: 3731

Titled: Apparatus and Method for Using a  
Vascular Introducer with an Ultrasonic  
Probe

Conf. No.: 1118

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. 1.116**

Sir:

This Amendment is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on March 5, 2004 in the above-identified application. Reconsideration and further examination are requested.

**Amendments to the Claims** are shown in the "Listing of the Claims" which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

Please enter the following amendments and remarks.